

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

SHELLEE J. HALL,	)	
	)	
Plaintiff	)	
	)	
vs.	)	CAUSE NO. 3:04-CV-259RM
	)	
FOREST RIVER, INC.,	)	
	)	
Defendant	)	

OPINION AND ORDER

Defendant Forest River moves to exclude the expert testimony of Dr. David Koronkiewicz because, among other things, his opinion that plaintiff Shellee Hall has reflex sympathetic dystrophy and a possibility of carpal tunnel and ulna nerve is not based on reliable scientific principles, as is required by Federal Rule of Evidence 702 and Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579 (1993). Ms. Hall has not responded to the motion, and the time for response has passed.

A party seeking to admit opinion testimony under Rule 702 bears the burden of showing the requirements of admissibility have been met. See, e.g., McCorvey v. Baxter Healthcare Corp., 298 F.3d 1253, 1257 (11th Cir. 2002); Ruiz-Troche v. Pepsi Cola of Puerto Rico Bottling Co., 161 F.3d 77, 85 (1st Cir. 1998); Advisory Committee's Note to Rule 702 ("the proponent has the burden of establishing that the pertinent admissibility requirements are met by a preponderance of the evidence."). Ms. Hall has not satisfied that burden.

Accordingly, the court GRANTS the defendant's motion to exclude the

proposed testimony of Dr. David Koronkiewicz.

SO ORDERED.

ENTERED: December 5, 2006

          /s/ Robert L. Miller, Jr.            
Chief Judge  
United States District Court